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# TROUTMAN SANDERS

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June 13, 2017

Mr. Mark Zolandz  
NPDES Enforcement Branch (3WP42)  
Water Protection Division  
U.S. EPA Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

Re: Contura Energy, Inc. – Information Requirement Pursuant to Section 308  
of the Clean Water Act

Dear Mark:

Thank you for taking the time to discuss the above-referenced information request with me yesterday. Based on our discussion, I understand that EPA agrees to the following revisions to the scope and schedule for Contura Energy's response:

- Request No. 20: Limited to active permits.
- Request No. 19-21: Rolling response allowed, with initial production on or before July 14, and final production on or before July 31, 2017.
- Request No. 22: Suspended for now; if EPA determines that the responsive data in Request No. 19-21 are insufficient, then it may revisit its request for additional monitoring at a later date.

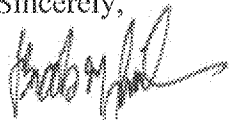
Please understand that we have serious concerns about EPA's information request, which appears to be in conflict with the wishes and interpretations of our primary state permitting agency, the Virginia Department of Mines, Minerals and Energy (DMME). Any conflict between EPA and DMME needs to be resolved between the agencies first (with due regard to DMME's primary and delegated authority) before regulated parties like Contura's affiliates are forced to bear the brunt of the conflict. Despite our concerns, we are prepared to respond to EPA's information request on the basis of the revisions memorialized above.

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Please feel free to contact me with questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brooks M. Smith", with a stylized flourish extending to the right.

Brooks M. Smith

BMS:hmn